

FILED

OCT 03 2014

RICHARD W. WILKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MALINKA TACUMA WADE MOYE,

Plaintiff,

v.

WHA, EMC, PJH,

Defendants.

Case No. C 14-3728 LHK (PR)

ORDER OF DISMISSAL

On August 18, 2014, plaintiff, proceeding *pro se*, filed a federal civil rights action. That same day, the clerk notified plaintiff that he had not paid the filing fee, nor had he filed an application to proceed in forma pauperis ("IFP"). (Docket No. 2.) Along with the deficiency notice, plaintiff was provided with an IFP application and instructions for completing it. Plaintiff was further cautioned that his failure to file a completed IFP application or pay the filing fee within twenty-eight days would result in the dismissal of this action. More than twenty-eight days have passed and plaintiff has not paid his filing fee or filed a completed IFP application. Thus, the instant action is **DISMISSED** without prejudice. The clerk shall terminate all pending motions, enter judgment, and close the file.

IT IS SO ORDERED.

DATED: 10/2/14

Lucy H. Koh

LUCY H. KOH
United States District Judge